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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,221	09/15/2003	Vivek G. Gupta	42P17782	2123
8791 7590 07/09/2007 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040			EXAMINER MERED, HABTE	
			ART UNIT 2616	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/663,221	GUPTA ET AL.	
	Examiner	Art Unit	
	Habte Mered	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/3/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to communication filed on 09/15/2003.
2. **Claims 1-60** are pending. Claims 1, 15, 29, 43, and 57 are the base independent claims.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. **Claim 2, 35** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. **Claim 2** recites the limitation " the GPRS communication module " in body of the claim. There is insufficient antecedent basis for this limitation in the claim.
4. **Claim 35** recites the limitation "computer-readable medium of claim 35. The claim is self-referencing and is improper.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-5, 7, 15-18, 19 and 57** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany et al. (US 5657317 A), hereinafter referred to as Mahany.

Regarding claims 1 and 15, 57, Mahany disclosed in figure 1c:

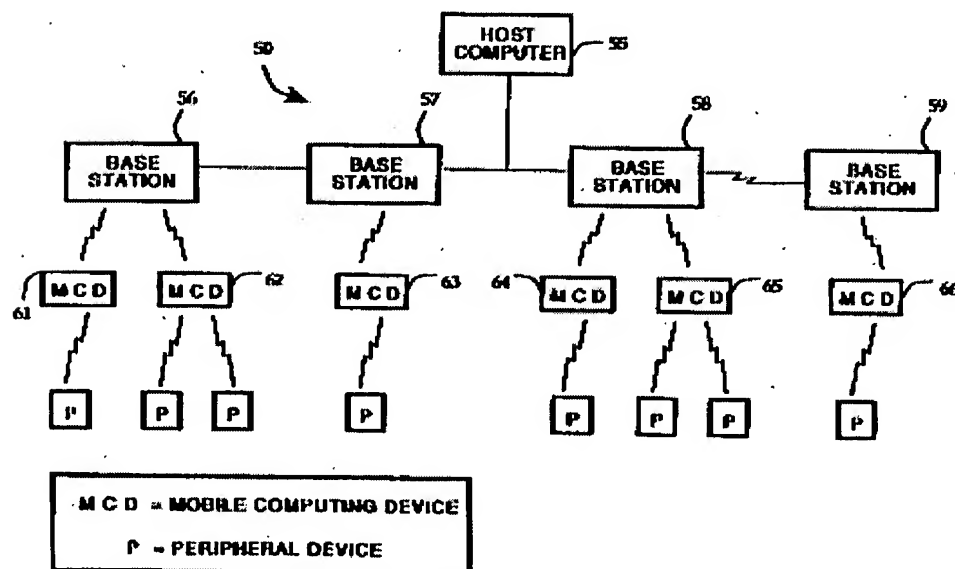


Figure 1c

Each mobile computing device 61, 62, 64, 65 and 66 also participates with associated peripherals in a peripheral LAN. Each peripheral LAN is made up of the master device

(*primary*) and its slave (*secondary*) device. Similarly, as illustrated, the base station 57 is shown as a direct participant in not only the premises LAN but also in the peripheral LAN. The base station 57 may either have limited or full participation in the premises LAN. For example, the base station 57 may be configured as a mobile computing device with the full RF capability of transmission in both the premises and peripheral LANs. **(Column 12: 28-40).**

Mahany does not describe his nodes as primary and secondary but rather as master and slave. It would have been obvious to one of ordinary skill in the art at the time of invention that the two sets of terms have similar characteristics.

Regarding claim 2, 3, 7, 16, 17 (insofar as it is understood based on the 112 rejection above) Mahany does not disclose the routing between the primary/secondary devices and the GPRS communication module is via the sharing module.

However it is not patentable to make parts separable or integral, see *In re Larson*, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965).

It would have been obvious to one of ordinary skill in the art at the time of invention to make the sharing module separable or integral to host platform base on design choice.

Regarding claim 7,

Mahany disclosed a notebook computer **(Column 2:55-60)**

Regarding claims 4, 5, 18, 19

Mahany disclosed translating between a first transport mode and second.
(Column 6:30-40).

7. **Claims 6, 8-13, 20-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany et al. (US 5657317 A), hereinafter referred to as Mahany in view of Schmidt (US 6898721 B2), hereinafter referred to as Schmidt.

Regarding claim 6, 13, 20, 27,

Mahany does not disclose where the first transport mode includes USB, RS-232, Firewire or mPCI.

Schmidt however discloses where the I/O ports use USB, Firewire and RS-232 transport (**Schmidt, Column 12:18-25**).

It would have been obvious to one of ordinary skill in the art at the time of invention to use the transport standards in the Mahany invention since they are part of standard methods for connecting peripheral devices to processors in modern communications and have all the benefits of using off the shelf standard products.

Regarding claim 8, 22

Mahany discloses low power embodiments of his processors. (**Column 48:45-67**)

Regarding claim 9, 12, 26

Mahany does not disclose a GPRS device but disclose a notebook computer,

(Mahany, Column 2:55-60).

Schmidt disclosed using the Generalized Packet Radio System device **(Column 7:10-25).**

It would have been obvious to one of ordinary skill in the art at the time of invention to use a GPRS device in the Mahany network. Both systems are drawn toward communications in a mobile computing environment of which GPRS is designed as one possible protocol for that environment.

Regarding claim 10, 11, 25

Mahany does not disclose wherein the sharing module is integral to the secondary processor.

However it is not patentable so make parts separable or integral, see *In re Larson*, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965).

It would have been obvious to one of ordinary skill in the art at the time of invention to make the sharing module separable or integral to host platform base on design choice.

Regarding claim 21, 23, 24

Mahany disclosed a notebook computer (col./lines: 2/55-60)

8. **Claim 29, 30, 31, 32, 33, 43, 44, 45, 46, 47, 49, 54** rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany et al. (US 5657317 A) hereinafter referred to as Mahany in view of Khawand (US 6973538 B2), hereinafter referred to as Khawand.

Regarding claims 29, 32, 33, 43, 45, 54

Mahany disclosed in figure 1c:

Each mobile computing device 61, 62, 64, 65 and 66 also participates with associated peripherals in a peripheral LAN. Each peripheral LAN is made up of the master device (*primary*) and its slave (*secondary*) device. Similarly, as illustrated, the base station 57 is shown as a direct participant in not only the premises LAN but also in the peripheral LAN. The base station 57 may either have limited or full participation in the premises LAN. For example, the base station 57 may be configured as a mobile computing device with the full RF capability of transmission in both the premises and peripheral LANs. **(Column 12:28-40)**

However, Mahany does not disclose the protocol as GPRS.

Khawand disclosed using the Generalized Packet Radio System protocol between nodes in a mobile system **(Column 3:35-40)**.

It would have been obvious to one of ordinary skill in the art at the time of invention to use GPRS in the Mahany network. Both systems are drawn toward communications in a mobile computing environment of which GPRS is designed as one possible protocol for that environment.

Regarding claim 30, 31, 44

(insofar as it is understood based on the 112 rejection above) Mahany does not disclose the routing between the primary/secondary devices and the GPRS communication module is via the sharing module.

However it is not patentable so make parts separable or integral, see *In re Larson*, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965).

it would have been obvious to one of ordinary skill in the art at the time of invention to make the sharing module separable or integral to host platform base on design choice.

Regarding claim 7,

Mahany disclosed a notebook computer (**Column 2:55-60**)

Regarding claim 46

Mahany does not disclose wherein the sharing module is integral to the secondary processor.

However it is not patentable so make parts separable or integral, see *In re Larson*, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965).

It would have been obvious to one of ordinary skill in the art at the time of invention to make the sharing module separable or integral to host platform base on design choice.

Regarding claims 47

Mahany disclosed translating between a first transport mode and second (**Column 6:30-40**)

Regarding claim 49

Mahany disclosed a notebook computer (**Column 2:55-60**)

9. **Claims 34, 36-41, 48, 50-53, 55** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany et al. (US 5657317 A) , hereinafter referred to as Mahany in view of Khawand (US 6973538 B2), hereinafter referred to as Khawand and further in view of Schmidt (US 6898721 B2), hereinafter referred to as Schmidt.

Regarding claim 34, 40, 41, 48, 55

The modified invention of Mahany and Khawand does not disclose where the first transport mode includes USB, RS-232, Firewire or mPCI.

Schmidt however discloses where the I/O ports use USB, Firewire and RS-232 transport (**Schmidt, Column12:18-25**).

It would have been obvious to one of ordinary skill in the art at the time of invention to use the transport standards in the Mahany/Khawand invention since they are part of standard methods for connecting peripheral devices to processors in modern communications and have all the benefits of using off the shelf standard products.

Regarding claim 36

Mahany discloses low power embodiments of his processors. (**Column 48:45-67**)

Regarding claim 37, 51

Mahany disclosed a notebook computer (**Column 2:55-60**)

Regarding claim 38, 39, 52, 53

Mahany does not disclose wherein the sharing module is integral to the secondary processor.

However it is not patentable so make parts separable or integral, see *In re Larson*, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965).

It would have been obvious to one of ordinary skill in the art at the time of invention to make the sharing module separable or integral to host platform base on design choice.

Regarding claim 50

Mahany discloses low power embodiments of his processors. **(Column 48:45-67)**

10. **Claim 58** is rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany et al. (US 5657317 A), hereinafter referred to as Mahany in view of Quinn et al. (US 20020137472 A1), hereinafter referred to as Quinn.

Regarding claim 58,

Mahany does not disclose a GPRS NDIS driver and USB driver.

Quinn however discloses where the I/O ports use USB, and a GPRS NDIS driver **(Quinn, paragraphs 50 and 60).**

It would have been obvious to one of ordinary skill in the art at the time of invention to use the transport standards in the Mahany invention since they are part of standard methods for connecting peripheral devices to processors in modern communications and have all the benefits of using off the shelf standard products.

11. **Claims 14 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany et al. (US 5657317 A), hereinafter referred to as Mahany in view of Morrow et al (US Pub. No. 2002/0124196 A1), hereinafter referred to as Morrow.

Regarding Claims 14 and 28

Mahany fails to disclose a method further comprising switching control between the primary processor system and secondary system upon the occurrence of an event, wherein the event includes opening a computer lid, receiving a data message by the first processor system, receiving a message by the second processor system, closing a computer lid and receiving a switch command.

Morrow discloses a method further comprising switching control between the primary processor system and secondary system upon the occurrence of an event, wherein the event includes opening a computer lid, receiving a data message by the first processor system, receiving a message by the second processor system, closing a computer lid and receiving a switch command. **(See Figure 5 – Morrow's system allows switching between different tasks upon being interrupted by any event related to power saving and opening a computer lid counts as one)**

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Mahany's method to make the sharing module switch between the primary and secondary processor system when an event occurs that requires more electrical power and processor power, the motivation being such an arrangement makes the system take advantage of the low energy consumption feature.

12. **Claims 42 and 56** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany et al. (US 5657317 A), hereinafter referred to as Mahany in view of Khawand (US 6973538 B2), hereinafter referred to as Khawand and further in view of Morrow et al (US Pub. No. 2002/0124196 A1), hereinafter referred to as Morrow.

Regarding claims 42 and 56

The combination of Mahany and Khawand fails to disclose a method further comprising switching control between the primary processor system and secondary system upon the occurrence of an event, wherein the event includes opening a computer lid, receiving a data message by the first processor system, receiving a message by the second processor system, closing a computer lid and receiving a switch command.

Morrow discloses a method further comprising switching control between the primary processor system and secondary system upon the occurrence of an event, wherein the event includes opening a computer lid, receiving a data message by the first processor system, receiving a message by the second processor system, closing a computer lid and receiving a switch command. **(See Figure 5 – Morrow's system allows switching between different tasks upon being interrupted by any event related to power saving and opening a computer lid counts as one)**

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the combination of Mahany's and Khawand's method to make the sharing module switch between the primary and secondary processor system when an event occurs that requires more electrical power and processor power, the motivation

being such an arrangement makes the system take advantage of the low energy consumption feature.

13. **Claim 59** is rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany et al. (US 5657317 A), hereinafter referred to as Mahany in view of Goldenberg et al (US pub. No. 20030200315 A1), hereinafter referred to as Goldenberg.

Regarding claim 59

Mahany fails to disclose an apparatus wherein the USB function driver includes a protocol translator to translate between RNDIS and NDIS.

Goldenberg discloses an apparatus wherein the USB function driver includes a protocol translator to translate between RNDIS and NDIS. **(See Paragraph 10)**

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Mahany's apparatus wherein the USB function driver includes a protocol translator to translate between RNDIS and NDIS. The motivation to add a translator between RNDIS and NDIS in a USB function driver is to make the USB interface with products having different protocols.

14. **Claim 60** is rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany et al. (US 5657317 A), hereinafter referred to as Mahany in view of Serval et al (US pub. No. 2006/0168261), hereinafter referred to as Serval.

Regarding claim 60

Mahany fails to disclose an apparatus wherein the sharing module is a GPRS sharing module.

Serval discloses an apparatus wherein the sharing module is a GPRS sharing module. (See Paragraph 267)

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Mahany's apparatus wherein the sharing module is a GPRS sharing module. The motivation to make the sharing modules a GPRS module is that GPRS offers services simultaneously to up to 7 products that may be fitted to Mahany's apparatus.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Habte Mered whose telephone number is 571 272 6046. The examiner can normally be reached on Monday to Friday 9:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris H. To can be reached on 571 272 7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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HM
06-24-2007



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